

# Agenda Item 3

Minutes

ANE FOR A'

**FALKIRK COUNCIL**

**Minute of meeting of the Scrutiny Committee held in the Municipal Buildings, Falkirk on Thursday 13 September 2018 at 9.30 am.**

**Councillors:**

David Balfour  
Lorna Binnie  
Jim Blackwood  
Jim Flynn  
Lynn Munro (convener)  
Pat Reid

**Officers:**

Fiona Campbell, Head of Policy, Technology and Improvement  
Douglas Duff, Head of Planning and Economic Development  
Maureen Lockey, Customer First Adviser  
David MacKay, Head of Education  
Brian Pirie, Democratic Services Manager  
Stuart Ritchie, Director of Corporate and Housing Services  
Allan Stewart, Improvement Manager

**S16. Apologies**

Apologies were intimated on behalf of Councillors Black and Coleman.

**S17. Declarations of Interest**

No declarations were made.

**S18. Minutes**

**Decision**

- (a) The minute of the meeting of the Scrutiny Committee held on 7 June 2018 was approved; and
- (b) The minute of the meeting of the Performance Panel held on 9 August 2018 was noted.

**S19. Rolling Action Log**

A rolling action log detailing the status of actions from the meeting held on 7 June 2018 which had yet to be completed was presented for consideration.

## **Decision**

**The committee noted the Rolling Action Log.**

### **S20. Complaints Annual Report**

The committee considered a report by the Director of Corporate and Housing Services presenting the Council's Complaints Annual Report for 2017/18.

The Complaints Annual Report set out the Council's performance against 8 indicators set by the Scottish Public Services Ombudsman in 2016/17. They are:-

- Complaints received per 1,000 population
- Number of complaints closed
- Complaints upheld, partially upheld and not upheld
- Average response times
- Performance against timescales
- Number of cases where an extension is authorised
- Customer satisfaction
- Learning from complaints

Over the period the Council had received 2832 complaints compared to 2462 in the previous year. Of these, over 90% had been closed at stage 1 of the Complaints Handling Process.

In regard to performance against timescale, 89% of stage 1 complaints had been closed within the 5 day deadline and 69% of stage 2 complaints had been closed within the 20 day deadline (compared to 79% in 2016/17).

In 2017/18 the areas of service which had received the most complaints had been:-

	Totals
Household waste collection	602
Housing repairs	388
Staff conduct	290
Council tax account enquiries	111
Household garden waste	102
Other	71
Road gritting	58
Bulky household waste collections	51
Care at home	50
Road maintenance	47

The committee welcomed the report and sought clarification if the complaints referred to had included those from elected members. The Customer First Adviser explained the process for recording complaints and confirmed that the report referred to complaints from the public. The Head of Policy,

Technology and Improvement added that it included complaints recorded by members on behalf of the public and highlighted that the Council's complaints management system, CRM, brought consistency to the process. In response to a question, the Head of Policy, Technology and Improvement stated that an increase in the number of complaints received should be viewed as a positive. This indicated that the complaints procedure was transparent and by logging all complaints the Council could not only deal with issues but also learn from them.

The committee discussed the re-launched Contact Centre and remarked that customer service had improved noticeably since the new telephony system was introduced. The Head of Policy, Technology and Improvement agreed that the new system allowed much improved response to and management of calls to the Council. Importantly the new system allowed Contact Centre staff to prioritise complaints. This had been introduced as part of a Council of the Future project which would see all telephony systems replaced.

Members then discussed the Complaints Handling Process and asked whether a complaint was closed when the issue was dealt with or whether it was closed when action was promised, citing examples where it appeared to be the latter which had led to follow up contacts from members to find out when action had been taken. The Customer First Adviser explained that the Contact Centre manages complaints and allocates them to the appropriate service who then deal with them. Services are expected to be proactive and to deal with complaints within the SPSO timescales. The Head of Policy, Technology and Improvement confirmed that a complaint is closed when the issue is resolved. When the time for resolution is longer than the timescales set, she concurred that it was good practice to keep the complainant informed.

The committee discussed front line resolution and sought clarity on whether dissatisfaction at the end of a stage could lead to a follow up complaint. The Customer First Adviser explained that in such cases these would be dealt with by the stage 2 process. Managers were expected to monitor complaints information to analyse trends and to take action, if for example stage 2 complaints had arisen through lack of appropriate action at stage 1.

In response to a question in regard to the Local Authority Complaints Handlers Network, the Head of Policy, Technology and Improvement stated that this was for practitioners and provided an opportunity to share best practice and to discuss national issues.

The committee discussed complaints about staff conduct. Although 290 complaints appeared high, a number had been vexatious but nonetheless managers were expected to review each and for action to be taken when appropriate. The Head of Policy, Technology and Improvement explained that in addition to vexatious complaints, complaints about staff could be an expression of dissatisfaction about the response provided rather than about the employee's conduct. She confirmed, in response to a question, that training and guidance on customer service was available for staff.

The ethos of both the SPSO and Council was to make it easier for the public to complain. Complaints provided an opportunity to resolve issues quickly and to renew service provisions. In regard to the number of complaints received, the Council was not necessarily looking to see a decrease in number but was looking to see an improvement in resolution and in service. Digital technology made it easier and quicker to complain and it also, in the case of the Contact Centre technology, allowed complaints to be prioritised and better directed. Again members praised the new system and paid recognition of the work of the Contact Centre staff. The Head of Policy, Technology and Improvement agreed that the quality of the service provided by Customer First staff was key – without their knowledge and expertise the system would not function.

Members suggested that issues with the length of time taken to answer calls to the Council remained unsatisfactory. The Head of Policy, Technology and Improvement responded that the new system, which had replaced 20 year old Featurenet technology, allowed calls to be answered quickly and while there may have been initial delays when the system was replaced, she was not aware of delays; in fact the time taken to answer calls was much improved. She undertook to provide information to the committee which would show the average time to answer a call. The Customer First Adviser also undertook to find out whether the Contact centre staff undertook follow up customer satisfaction call-backs.

### **Decision**

**The committee noted the Council's performance between April 2017 and March 2018.**

**S21. Performance Management and Best Value – Information and Workshop Session for Members**

The committee heard a presentation from the Director of Corporate and Housing Services which set out the Council's approach to Best Value. The presentation set out:-

- the objectives of best value
- the causes evaluated by the Accounts Commission when auditing Local Authorities
- the key messages of the best value follow-up inspection by Audit Scotland 2018
- the Council's response to the follow-up inspection key findings in regard to Corporate/Service Plans, Council of the Future, Financial planning and Scrutiny agreements

Allan Stewart, Improvement Manager then explained the Council's approach to performance management, highlighting:-

- the principles of strategic planning and management
- the Council's strategic planning management system performance
- the benefits/effective management
- the performance management framework
- the proven for preparing the performance management plan
- the steps of carrying out the plan
- the repeating mechanisms

The committee then considered Services' key performance indicators. The Head of Education, the Director of Corporate and Housing Services and the Head of Planning and Economic Development explained their respective services' key indicators and rationale for identifying these particular indicators as "important indicators".

The Head of Policy, Technology and Improvement discussed the process by which performance was scrutinised by Council. In particular she questioned whether the current arrangement by which performance was considered by a performance panel was fit for purpose and sought members' views on whether performance could be better dealt with by the Scrutiny Committee. There was general agreement amongst members that performance could be better scrutinised by the Scrutiny Committee, rather than by the panel.

**FALKIRK COUNCIL**

**Minute of Meeting of the Performance Panel held in the Municipal Buildings, Falkirk on Thursday 18 October 2018 at 9.30 am.**

**Core Members:** David Balfour  
Lynn Munro (Convener)  
Pat Reid

**Members Attending:** Gary Bouse  
Adanna McCue  
Laura Murtagh

**Officers:** Fiona Campbell, Head of Policy, Technology & Improvement  
Phillip Morgan-Klein, Service Manager Children's Services  
Robert Naylor, Director of Children's Services  
Brian Pirie, Democratic Services Manager

**PP15. Apologies**

An apology was intimated on behalf of Councillor Coleman.

**PP16. Declarations of Interest**

No declarations were made.

**PP17. Minute**

**Decision**

**The minute of the meeting of the Performance Panel held on 9 August 2018 was approved.**

**PP18. Children's Services Performance Update**

The panel considered a report by the Director of Children's Services setting out a summary of performance for the period 1 January to 30 June 2018. The Director of Children's Services provided an overview of the report.

The report provided details on:

- The significant challenges, changes and pressures the service has faced since our last performance panel update; and

- An update on relevant underpinning strategies, including the children and Young People (S) Act 2014, The expansion of Early Years Provision, the National Improvement Framework (NIF) and the Pupil Equity Fund.

In addition the Director of Children's Services highlighted:

- Expansion of Early Years Provision to 1140 Hours (by 2020)
- Regional Improvement collaborative
- Medium Term Financial Plan (MTFP)
- National Improvement Framework (NIF)
- Pupil Equity Fund
- Closer To Home – a 5 year Children's Services Strategy
- Replacement of the Social Work Information System (SWIS)

In response to a question the Director confirmed that the expansion of Early Years Provision (EYP) to 1140 hours by 2020 would be cost neutral to the Council. Funding would be provided by the Scottish Government. Mr Naylor explained that in 2012/13 EYP had increased from 475 hours to 600 hours. However the target was now 1140 hours by 2020. Local Authorities had taken differing approaches to achieving the target. In Falkirk approximately 85% of EYP was delivered via nursery classes, in 12 early learning centres and in partnership with private parties. A number of factors would determine how provision would be expanded – for example the physical capacity of primary schools. If a school had a nursery then ideally it would provide 30 hours in the morning and 30 in the afternoon. If all children in the morning attend in the afternoon then the 30 who currently only go in the afternoon would also have to be accommodated. In some schools this can be accommodated but alternatives would have to be identified where they cannot be accommodated. In the last year the Council had opened standalone early learning centres, adapted schools and had a plan in place for provision in every ward. The attendance patterns are available for all parents. There are different models in place – one mirrors the school week another is 8am-1pm and 1pm-6pm, a standalone model is also available which would be spread over 48 weeks. In regard to funding, all local authorities had been required to submit financial templates to the Scottish Government for revenue and capital expenditure. The Council now had its financial 'envelopes' and was able to carry out the necessary works and expand and train the workforce. The Director gave an overview of collaboration with Forth Valley College to grow numbers of staff which will be available. The expansion posed risks to the private and voluntary sectors.

Following a question the Director gave an overview of the goals of the Regional Improvement Collaborative (RIC). Overall the aim was to provide 'additionality' leading to improvements across the school system. Each local authority was required to bring about schools improvements. In the case of RICs the sum was greater than the parts in terms of shared expertise, thinking and resources. Best practice could be shared and duplication could be avoided. Mr Naylor cited an initiative in West Lothian Council which enabled the delivery of advanced Highers online. Having learned of this

Falkirk and other authorities were working with West Lothian to access and develop courses. Similarly the four Councils in the RIC were working together to ensure recruitment and staff development in relation to the expansion of early learning was consistent. Mr Naylor cited other examples in shared learning in regard to community learning and development and in numeracy. In addition to learning between authorities the 6 RICs also work together to share and learn. It was important to note that working between authorities in this way was unique and innovative.

The panel returned to the expansion of early learning provision. The models of provision had been agreed by the Education Executive. Parents had options to choose from in their ward parents would be able to access the model which suits them. In addition as the provision is expanded the service would review and improve the models in place. Mr Naylor estimated that it would be 2025 before a settled pattern was in place. The patterns offered at the moment are the best estimate of demand. Demand may change depending on the provision available so it is certain that the provision will change with time. For example 8am-1pm/1pm-6pm model has not yet begun. If, in a year there is no uptake for the 1pm-6pm model then alternatives would be developed – these have to be both affordable and meet parent's needs.

In response to a question in regard to parking issues around schools, particularly at drop off and collection times the Director stated that Council had called for a review of parking at all schools and a report would be submitted to Council in December. He anticipated that the report would set out options to encourage better behaviour by parents. Road safety was a matter for the police – however the Council could enter into dialogue with parents and the police to improve the behaviour of parents which in some cases was unacceptable. There were options such as exclusion zones but the matter was complex recognising resident's rights to park for example. An exclusion area would encourage parents and children to walk the last part of the journey to school and tied in with the 'healthy living ethics' of the Council. In general terms the service had no proposals to expand car parking provision. Members highlighted pro-active actions by school staff to discourage unsafe parking but ultimately these often proved unsuccessful. The Director responded that in some authorities warden's issue on the spot fixed penalty notices. He also gave an example where social media had been used, by parents, to highlight other parents unsafe and dangerous parking. One option could be to empower janitors to issue fixed penalty notices. The message was to promote walking.

Following a question in regard to the Social Work Information System (SWIS) Fiona Campbell explained that members had previously asked about the use of 'flags' to highlight potential dangers when visiting clients. Both the Head of Policy, Technology and improvement and the Director of Development Services had undertaken to look into protocols to enable this and for access to be available to staff and members (where appropriate). Phillip Morgan Klein added that the issue was complex – and suggested that a general rule should be that visiting any properties presents a risk.

Members commented that there should be a joined up approach to training staff and elected members in regard to personal safety.

In regard to the important indicators which were set out in the appendix to the report members sought detail on the steps being taken to increase the time taken to complete complaints within 20 days and sought information on why the current performance was 83% compared to the target 100%. Phillip Morgan Klein explained that the number of complaints was small (24), which meant that delay in a small number of complaints (4) led to a significant drop in performance. Complaints were in this nature complex and it was often a challenge to complete them within the timescale. Nonetheless the service aimed to meet the target. He also pointed out that the number of complaints was low compared to the number of service users.

In regard to the Regional Improvement Collaborative members asked if pupils, a key stakeholder, had been involved on the improvement plan. The Director explained that this was at a relatively early stage – there were plans to work with head teachers but at the present time there were no plans to talk directly with pupils. Currently the plan was about principles around professional collaboration exploring, following the development of the Education Bill various elements of the national consultations and the Empowering schools agenda and possibly a head teachers charter, reviewing readiness of School empowerment. In regard to pupil and parental engagement, increased school autonomy will see responsibility lying with schools to develop engagement with pupils and parents.

The panel discussed the Scottish National Standardised Assessments at the four stages (P1, P2, P3, P7 and S3) which support teacher judgement of pupil progress through curriculum for excellence. In particular members sought clarification as on the assessment procedure at P1. The Director advised that the procedure was unchanged from previous practice. The national debate around this had missed the fact that 28 of 32 local authorities were already doing standardised assessments. This included Falkirk Council, in fact given that the cost of P1 assessments was £30-35k the service had supported proposals by the Scottish governments to introduce standardised assessments nationally, which it would fund. The next stage, as tests develop, is to ensure they are informative and aid the teacher to plan the next stage. The Director stated that the kind of teacher who had been reported nationally caused P1 pupils to cry because of their assessment style, were not the kind of teacher he wished to have in Falkirk. It was preposterous that the assessment methodology should cause stress in such a way. In regard to assessments Mr Naylor did not intend to stop the current approach in Falkirk.

In regard to nursery provision the Director stated that the service did not know the number of 3 and 4 year olds living in the area. This number would only become known to the service when the pupils are registered for P1. In Falkirk 90% of pupils registered for nurseries was a high percentage. Parents were entitled to 5 days provision but did not have to utilise any of the

provision, or could register for 3 or 4 days so the number of children in nursery provision would be less than the number of P1 pupils.

The service would review and refine its processes as it learns from experience.

The panel discussed the Pupil Equity Fund (PEF). The Head of Policy, Technology and Improvement stated that it was likely that the use of PEF would be reviewed as part of a future scrutiny panel.

In regard to the Regional Improvement Collaboratives and the PEF members suggested that it would be useful, in future reports, to include examples of collaborative work. The Director reiterated that it would take time for the PEF to realise improvements in attainment. It was difficult to compare one year's P1 against another. The teacher assessments at P1, P3, and P4 were over developing and work was ongoing nationally to continually improve the judgement process. In terms of comparison it was possible to say whether there is an increase or decrease over the previous year: cohort but it is difficult to attribute an increase to the impact of 1 year of PEF. If the improvement continues then a different conclusion could be drawn but to compare after 1 year would not be meaningful or reliable. He indicated that he would be able to include information on PEF projects on measures such as an attendance, reading ages in future reports i.e. in school level evidence. In regard to Regional Improvement Collaboratives there was evaluation of progress at the phase 2 plan submission stage and stated that the Forth Valley RIC had been reviewed by the west RIC. The Scottish Government's view was that each of the RIC's was doing good work and was looking to develop support to each RIC. Mr Naylor then gave an example of a project within West Lothian Council around online learning which would allow, for advanced Highers, for courses to be delivered in class, at another school, or virtually. The virtual model was similar to Open University courses and did not suit every pupil or teacher. It was currently a small scale project, with 6 learners participating, but if successful could be grown and introduced in other authority areas.

In response to a question the Director confirmed that PEF could not be used for local staffing. He also repeated the ethos of the closer to home strategy reiterating that the model would see improved educational outcomes but also that the financial benefits to the council were significant. He detailed the live recruitment process for foster parents. The on-line recruitment was professionally run and on a larger scale than previously. He acknowledged, in response to a question, the value of short term, emergency carers. Such parents were experts and needed by the service.

In regard to attracting foster carers members asked if the national rules could be adjusted to attract more applicants. Mr Naylor said that there was a national discussion in regard to recruiting foster carers but the rules could not be changed. However, reflecting the One Council approach, the service was in dialogue with current carers to determine if they could expand their hours of care. There needed to be a joined up approach with for example

Housing to ensure that any housing barriers could be addressed. Falkirk had, he said, a good reputation for training and support and respite care. However the Council perhaps did not emphasise this when recruiting. The Council had relatively fewer kinship carers and it was intended that this cohort be increased.

The panel then considered the performance information set out in the appendix.

In regard to action PE 0.01.02-CS17- develop practice to raise aspirational ambition of children and young people the Director explained the Tim Keilty approach. In essence this was the 'what would it take' question which should be asked when looking to remedy a situation. Mr Naylor gave an example where this had been used to improve a pupil's attendance and which required a cost to the service which would prevent significant costs at a later stage.

The panel then discussed Criminal Justice performance and the strategies employed in regard to restorative justice in particular citing examples in Dollar Park as an exemplar. In regard to SOCD .14.08 – CS17 on p21 of the agenda the Director confirmed that an unpaid work generic email address would be established shortly.

Members remarked that the various work streams set out such as the expansions of early learning, Pupil Equity Fund were necessarily labour intensive and asked if this contradicted the workforce plan which was to reduce staff numbers. Mr Naylor explained that the service had a funding envelope from which to operate. This was set out in the Council's Medium Term Financial Plan. If the service failed to live within its budget then pressures would sit with other services. The various programmes were labour intensive he agreed and involved various reporting mechanisms. Some, such as that for PEF could be less onerous on the Council demonstrates effective use of the funding. In regards to the MTFP the Director stated that it was necessary to prioritise services and stop doing those which are unnecessary or low priority.

Members remarked that if the teachers' pay claim of 10% was agreed the Council would be 'dead in the water' without Scottish Government Funding. The Director stated that the budget assumption was 3%. Anything in excess of this would create a hole in the budget. It was also remarked that a pay award of 10% to teachers would create unrest with other local government workers.

## **Decision**

**The Performance Panel noted the performance of Development Services over the period 1 January to 30 June 2018.**